

Amendments to the Claims:

The following listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Original) A refill case comprising:
a middle plate (21) in the shape of a bottomed short cylinder containing a
cosmetic item (K) and having outward brim (23) along the upper periphery of said plate
(21);
a case body (2), which accepts and keeps said middle plate (21) in a storage
cylinder (3) under the condition that said brim (23) sits on the top flat rim of this storage
cylinder (3); and
a cap (9), which is fitted around said case body (2) detachably in screw
engagement, and which is used to seal said middle plate (21) through tight contact of said
brim (23) with a ring-shaped gasket (16) made of a soft, elastic material, said gasket (16)
being embraced by the underside of roof (10) and fitted thereto in an undetachable manner
but in a state having play relative to said roof (10),
wherein a butting wall (11) is disposed on either one of said case body (2) or
said cap (9) so as to butt against the other one at a position in which screw engagement of
said cap (9) with the case body (2) is complete and in which soft contact deformation of
said gasket (16) is controlled within a range of elastic deformation.
2. (Original) The refill case according to Claim 1, wherein rubber is used as a soft,
elastic material for molding said gasket (16).

3. (Currently Amended) The refill case according to Claim 1-~~or~~2, wherein the case body (2) has a double wall structure in which a storage cylinder (3) is folded at the top flat rim to form an outward screw cylinder (7), which is used for the screw engagement with the cap (9), and wherein a foot portion (8) is disposed at the lower end of said screw cylinder (7).

4. (Currently Amended) The refill case according to Claim 1,~~2, or~~3, wherein the short butting wall (11) hangs down from underside of the roof (10) and butts against the top surface of the brim (23) of the middle plate (21), which is stored and held in the case body (2).

5. (Currently Amended) The refill case according to Claim 1,~~2, or~~3, wherein the butting wall (11) butts against the top flat rim of the case body (2).

6. (Currently Amended) The refill case according to Claim 1,~~2, 3, 4, or~~5, wherein the gasket (16) comprises a ring-shaped main gasket portion (17), which elastically comes in tight contact with the brim (23), and a ring-shaped fitting portion (18), which is disposed on the inward side of said main gasket portion (17) and is used for the fitting to the cap (9) and wherein said gasket (16) is fitted to the cap (9) in an undetachable manner but in a state having play relative to the roof (10), while said fitting portion (18) is disposed between the roof (10) and a gland (13), which is fixed to said roof (10).

7. (New) The refill case according to Claim 2, wherein the case body (2) has a double wall structure in which a storage cylinder (3) is folded at the top flat rim to form an outward screw cylinder (7), which is used for the screw engagement with the cap (9), and wherein a foot portion (8) is disposed at the lower end of said screw cylinder (7).

8. (New) The refill case according to Claim 2, wherein the short butting wall (11) hangs down from underside of the roof (10) and butts against the top surface of the brim (23) of the middle plate (21), which is stored and held in the case body (2).
9. (New) The refill case according to Claim 3, wherein the short butting wall (11) hangs down from underside of the roof (10) and butts against the top surface of the brim (23) of the middle plate (21), which is stored and held in the case body (2).
10. (New) The refill case according to Claim 2, wherein the butting wall (11) butts against the top flat rim of the case body (2).
11. (New) The refill case according to Claim 3, wherein the butting wall (11) butts against the top flat rim of the case body (2).
12. (New) The refill case according to Claim 2, wherein the gasket (16) comprises a ring-shaped main gasket portion (17), which elastically comes in tight contact with the brim (23), and a ring-shaped fitting portion (18), which is disposed on the inward side of said main gasket portion (17) and is used for the fitting to the cap (9) and wherein said gasket (16) is fitted to the cap (9) in an undetachable manner but in a state having play relative to the roof (10), while said fitting portion (18) is disposed between the roof (10) and a gland (13), which is fixed to said roof (10).

13. (New) The refill case according to Claim 3, wherein the gasket (16) comprises a ring-shaped main gasket portion (17), which elastically comes in tight contact with the brim (23), and a ring-shaped fitting portion (18), which is disposed on the inward side of said main gasket portion (17) and is used for the fitting to the cap (9) and wherein said gasket (16) is fitted to the cap (9) in an undetachable manner but in a state having play relative to the roof (10), while said fitting portion (18) is disposed between the roof (10) and a gland (13), which is fixed to said roof (10).

14. (New) The refill case according to Claim 4, wherein the gasket (16) comprises a ring-shaped main gasket portion (17), which elastically comes in tight contact with the brim (23), and a ring-shaped fitting portion (18), which is disposed on the inward side of said main gasket portion (17) and is used for the fitting to the cap (9) and wherein said gasket (16) is fitted to the cap (9) in an undetachable manner but in a state having play relative to the roof (10), while said fitting portion (18) is disposed between the roof (10) and a gland (13), which is fixed to said roof (10).

15. (New) The refill case according to Claim 5, wherein the gasket (16) comprises a ring-shaped main gasket portion (17), which elastically comes in tight contact with the brim (23), and a ring-shaped fitting portion (18), which is disposed on the inward side of said main gasket portion (17) and is used for the fitting to the cap (9) and wherein said gasket (16) is fitted to the cap (9) in an undetachable manner but in a state having play relative to the roof (10), while said fitting portion (18) is disposed between the roof (10) and a gland (13), which is fixed to said roof (10).